

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

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CERVECERÍA MODELO DE
MÉXICO, S. DE R.L. DE C.V., and
TRADEMARKS GRUPO MODELO, S.
DE R.L. DE C.V.,

Plaintiffs,

v.

CB BRAND STRATEGIES, LLC,
CROWN IMPORTS LLC, and
COMPAÑÍA CERVECERA DE
COAHUILA, S. DE R.L. DE C.V.,

Defendants.
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DATE FILED: 5/25/2022

No. 21-CV-01317-LAK

**NOTICE OF MODELO'S MOTION CHALLENGING
CERTAIN OF DEFENDANTS' PRIVILEGE DESIGNATIONS**

PLEASE TAKE NOTICE that, at a date and time to be determined by the Court, before the Honorable Lewis A. Kaplan of the United States District Court for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, Plaintiffs Cervecería Modelo de México, S. de R.L. de C.V. and Trademarks Grupo Modelo, S. de R.L. de C.V. ("Modelo") will and hereby do move, pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure, for an order compelling Defendants to produce versions of the three documents for which Defendants are resisting discovery with the challenged privilege designations unredacted. The bases for this Motion are set forth in the concurrently filed and attached Memorandum of Law, the complete files and records in this action, and any such additional materials and arguments as may be considered by the Court.

Memorandum Endorsement

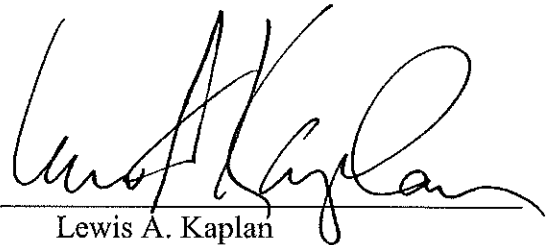
Cerveceria Modelo etc. v. CB Brand etc., 21-cv-1317 (LAK)

The motion to compel (Dkt 144) is granted in all respects. The defendant has failed to demonstrate that the At-Issue Information, as that term is defined in plaintiff's motion, is privileged. It does not reveal any legal advice, whether taken in isolation or in conjunction with the yellow-highlighted information that defendant has agreed to produce in unredacted form. The lone case cited by defendant, in my view, does not even arguably support its position.

The Court would be grateful if counsel henceforth would confine the exercise of their considerable talents to more meritorious positions.

SO ORDERED.

Dated: May 25, 2022

A handwritten signature in black ink, appearing to read 'Lewis A. Kaplan', is written over a horizontal line.

Lewis A. Kaplan
United States District Judge